

Attorney's Docket No.: 004704.P001

2765 #8.00
4.15.00
Patent **RECEIVED**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 11 2000

Group 2700

In Re Application of:

Scott Faber, et al.

Serial Number: 09/414,710

Filed: October 8, 1999

For: SYSTEM FOR PROVIDING
SERVICES IN REAL-TIME OVER
THE INTERNET



Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on March 31, 2000
Date of Deposit
Lisa Kaiser
Name of Person Mailing Correspondence
Lisa Kaiser 3/31/00
Signature Date

Assistant Commissioner of Patents
Washington, D.C. 20231

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. §1.102(d), M.P.E.P. 708.02, II.

Received

APR 24 2000

Director's Office
Group 2700

Sir:

Applicants respectfully request the present petition to grant the above identified application special status as provided under 37 C.F.R. §1.102(d) and M.P.E.P. 708.02, II.

Applicants have recently become aware that there are products on the market and methods currently in use by others that infringe one or more of the claims currently pending in the present application. Applicants have obtained documentation describing products and services and have engaged services provided by others that, after a rigid comparison with the pending claims, in Applicants' opinion, unquestionably infringe one or more of the pending claims.

In addition, Applicants have made a careful and thorough search of the prior art in this case. The following references have been deemed closely related to the subject matter encompassed by the pending claims.

04/07/2000 MPRASASD 00000019 09414710

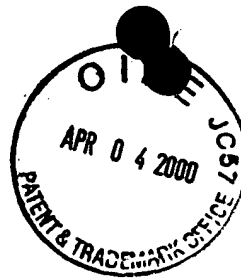
01 FC:122

130.00 OP

1

U.S. Application No.: 09/414,710
BSTZ No. 004704.P001

U.S. and Foreign Patents Documents
U.S. 5,862,223 U.S. 5,991,394
WO 98/13765



RECEIVED

APR 11 2000

Other Publications

"Aspect Telecomm: Aspect Integrates The Web Into The Call Center", M2 Presswire, August 1996.

"When Business Plan And Real World Clash", Wall Street Journal, June 9, 1999, p. B1.

Group 2700

One copy of each of the above-identified references is submitted herewith.

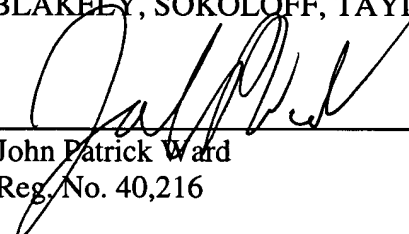
Other references related to the present invention have also been submitted in an Information Disclosure Statement filed separately, a copy of which is enclosed.

An original preliminary amendment was filed in the above-identified application on March 15, 2000. A second preliminary amendment was also filed on March 31, 2000, a copy of which is enclosed. Thus, claims 44-46, 48-51, 53-68, 70-88, 90-92, 97 & 104 are currently pending in this application.

A check in the amount of \$130.00 is enclosed for payment under 37 C.F.R. §1.17(i) of the petition fee. If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 3/31/00, 2000



John Patrick Ward
Reg. No. 40,216

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300

Attorney's Docket No.: 004704.P001

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Scott Faber, et al.

Serial Number: 09/414,710

Filed: October 8, 1999

For: SYSTEM FOR PROVIDING
SERVICES IN REAL-TIME OVER
THE INTERNET

Examiner: Not yet assigned

Art Unit:

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 together with copies of the documents cited on that form. It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on March 31, 2000
Date of Deposit

Lisa Kaiser

Name of Person Mailing Correspondence

Lisa Kaiser
Signature

3/31/00
Date

NR
4/4/00
#7
4/18/00
CB

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

- X 37 C.F.R. §1.97(b).
- 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:
- A statement pursuant to 37 C.F.R. §1.97(e) or
- A check for \$240.00 for the fee under 37 C.F.R. § 1.17(p).
- 37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:
- (1) A statement pursuant to 37 C.F.R. §1.97(e);
 - (2) A petition requesting consideration of the Information Disclosure Statement; and
 - (3) A check for \$ for the fee under 37 C.F.R. §1.17(i) for submission of the Information Disclosure Statement.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ORIGINAL SIGNED BY

JOHN P. WARD

Dated: March 31, 2000

John Patrick Ward
Reg. No. 40,216

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300

DIALOG(R)File 649:Gale Group Newswire ASAP(TM)
(c) 2000 The Gale Group. All rts. reserv.

02233464 SUPPLIER NUMBER: 18549429

Aspect Telecommunications Integrates the Web into the Call Center to Deliver New Levels of Customer Service; Dynamic Web page creation, callback from a live agent, automatic notification and comprehensive reports highlight Aspect Interactive Web.

Business Wire, p8051024

August 5, 1996

LANGUAGE: English RECORD TYPE: Fulltext

WORD COUNT: 1619 LINE COUNT: 00144

TEXT:

SAN JOSE, Calif.--(BUSINESS WIRE)--Aug. 5, 1996--Aspect Telecommunications today introduced Aspect Interactive Web, a powerful solution that integrates the World Wide Web with call center transactions to deliver a new level of customer service.

With Aspect Interactive Web, companies can conduct more personalized, informative and efficient customer interactions while allowing the customer full choice of communication method -- telephone, fax, electronic mail over the Internet, pager and, now, the World Wide Web.

Aspect Interactive Web enables enterprises to create Web pages tailored to individual customers, to call back Web customers who request live interaction, to automatically notify customers of important information (such as a change in stock price), and to produce comprehensive reports covering all customer interactions, regardless of access method. Aspect Interactive Web is featured in a new release of Agility, Aspect's interactive response system, which delivers automated customer service solutions in a call center environment.

"Customers want self-paced, self-selected, self-directed access to company information and services whenever, wherever and by whatever method is most convenient for them. This presents a tremendous challenge to businesses, which must continue to build customer loyalty through personalized service, prompt response and secure transactions -- the cornerstones of the customer contact zone, the call center," said Dennis Haar, president and chief operating officer of Aspect Telecommunications.

"Success in this changing marketplace is not simply a matter of technology -- it's an issue of meeting customer expectations. With Aspect Interactive Web, we've forged a solution that fully meets the market needs. We are especially excited because Aspect offers proven expertise at the leading edge in both customer service and communications."

Web solutions for the call center

In recent years the enterprise call center has been expanding beyond telephone contact to include fax, pager and e-mail access. Now, Aspect's integration of the call center and the Web brings important new benefits to

customers and enterprises.

First, consumers gain more personalized and efficient access to corporate information, streamlining the search-and-discovery process. For example, Aspect Interactive Web can present product catalog pages organized to suit the customer's purchase preferences. Similarly, it can provide help desk information geared to an end user's system and perform automatic notification, for example, to advise a customer of a change in account status.

When the customer decides to contact a service representative, the agent can play a more consultative role. Aspect Interactive Web enables the call center agent to view the customer's progression through the Web site; thus the agent can offer specific interpretations and recommendations for each customer situation.

Logistix taps Aspect Interactive Web for self-service project tracking

Logistix, a software and hardware contract manufacturer and teleservices provider, has installed Aspect Interactive Web to expand its services to such clients as Apple, Hewlett-Packard and Adobe. At Logistix's communications center in Fremont, Calif., the company uses Aspect Interactive Web to enable customers to track order and shipment status, check on customer inquiries, obtain documentation and download software over the Web. In the future, if customers require live interaction, they will be able to simply point and click on the callback icon.

"This is a highly competitive, fast-moving industry, both for us and for our clients. With Aspect, we are planning to offer a greater range of control and self-service without limiting the customers' options -- if they want to talk with an agent during a Web connection, they won't even have to leave the computer application, and they won't have to repeat their question. One of the key features of Agility is that the agent can see where the customer is and has been on our Web site," said Grant Evans, vice president/business development, Logistix.

New levels of customer service and agent productivity

Aspect Interactive Web's capabilities, which achieve new levels of customer service and call center agent productivity, include:

- Personalized Web page creation. Aspect Interactive Web gathers and presents information gathered directly from multiple corporate databases and legacy host systems. Based on customer requests and account history, it creates dynamic Web pages tailored to the individual.

- Callback for live link to an agent. For Web interactions in which the customer decides to transact business with a customer service representative -- for example, to complete a credit card purchase or obtain answers to complex questions -- Aspect Interactive Web allows the customer to request an agent callback immediately or at a convenient time. It can also match the customer with the agent who has handled past inquiries or who is best qualified to resolve a current problem.

- Simultaneous page viewing. When the customer requests assistance from an agent, Aspect Interactive Web delivers the Web page to the agent

along with the call, allowing the customer service representative to view the page the customer is using.

- Screen synchronization over the intranet. Agility Interactive Web provides cost-effective CTI (computer-telephony integration) solutions that supply customer service representatives with information from multiple corporate data sources over the corporate intranet. This information can be readily delivered to the agent in easy-to-view Web page form at the same time as the call. It enables companies to increase agent productivity and customer responsiveness by streamlining data collection and simplifying its presentation.

- Automatic customer notification. Companies can use Aspect Interactive Web to create proactive applications that automatically notify a customer when a specific event has occurred. For example, brokerage firms can advise clients when a stock hits a certain price; health care providers can remind patients of upcoming appointments; manufacturers can notify vendors of inventory changes; distributors can inform customers of shipment status; and airlines can advise preferred customers of flight changes and seat availability.

- Interoperability with leading LANs, databases and hosts. Aspect Interactive Web can search, retrieve and blend information from leading relational databases as well as major host computer systems. This enriches an enterprise's ability to respond to customer needs with information based on specific customer preferences and up-to-date company offerings.

Broad LAN connectivity encompasses Ethernet and token ring network access, IBM LAN Server and Communications Manager, Novell NetWare, TCP/IP

and Microsoft LAN Manager. Host computer access includes IBM, DEC, Hewlett-Packard and the leading UNIX systems. Aspect Interactive Web performs database retrieval from Oracle, Sybase, INFORMIX, Microsoft SQL server, BTRIEVE, and other ODBC-compliant database systems. It supports electronic mail connectivity with IBM, Hewlett-Packard, DEC, UNIX Mail, MCI Mail and the Internet.

- Consolidated reporting. Comprehensive reports that integrate information on customer interactions through the call center and the Web are readily available on an ad hoc or scheduled basis. These reports can be easily designed and run by means of Aspect's Windows-based CustomView ReportWriter graphical user interface. Managers can tailor the information to their departmental needs, incorporate information from other enterprise databases and distribute the data across the organization.

- Object-oriented development environment. Aspect Interactive Web incorporates Agility's object-oriented development environment, ActionAgent Navigator, a set of Web authoring tools for rapid design of interactive Web services. Developers can lay out the Web pages that Agility dynamically assembles for presentation to the customer. Images can be imported, along with hot links and other elements. Agility ActionAgent Navigator eliminates the need for coding or proprietary scripting and enables the developer to

remain in the graphical interface, using icons and fill-in-the-blank boxes even at the detail level.

In addition to its rich Aspect Interactive Web features, Agility 2.0 offers speech recognition and text-to-speech capabilities. Speech recognition is particularly important for call centers that deliver automated services to regions where touch-tone service is not widespread. Text-to-speech is designed for applications in which it is impractical to use prerecorded material -- typically when the information is voluminous or changes frequently.

Availability and pricing

Aspect Agility 2.0, including the Aspect Interactive Web option, is available immediately.

Agility 2.0, which includes interactive response capabilities over telephone, fax, electronic mail and pager, as well as the object-oriented development environment, is \$75,000 and up. The optional Aspect Interactive Web license -- which includes dynamic Web page creation, callback, automatic notification and comprehensive backend system connectivity -- starts at \$36,000. The speech recognition and text-to-speech options start at \$7,500 and \$600, respectively. Agility 2.0 can handle from 2,000 to 12,000 transactions per hour, depending on configuration.

Aspect Telecommunications

Founded in 1985, Aspect Telecommunications (NASDAQ: ASPT) is a global provider of comprehensive business solutions for mission-critical call centers. Aspect products include automatic call distributors, interactive response systems, management information and reporting tools, and planning and forecasting packages. Aspect also provides services vital to call center environments, including business applications consulting, systems integration and training. World headquarters are located in San Jose, Calif. For additional information, visit Aspect on the World Wide Web at <http://www.aspect.com>. -0-

Note to Editors: The Aspect logo and Aspect CallCenter are registered trademarks, and Aspect Agility, Aspect ActionAgent Navigator and CustomView are trademarks of Aspect Telecommunications Corporation. All other product or service names mentioned in this document may be trademarks of the companies with which they are associated.

CONTACT: Aspect Telecommunications

Bob Drescher, 408/325-2483

r.drescher@aspect.com

or

Martin Communications

Andrea Martin, 408/325-2704

martcom@aol.com

COPYRIGHT 1996 Business Wire

online investor and entrepreneur.

Anchor of CNN's profitable "Moneyline" broadcast and president of CNNfn, the financial-news cable channel, Mr. Dobbs, 53 years old, is leaving these posts to join an

Mr. Dobbs's resignation follows increasing friction between him and Rick Kaplan, CNN's U.S. president, with whom Mr. Dobbs has clashed repeatedly over the past year. Last month, the two men butted heads over Mr. Kaplan's decision to interrupt Mr. Dobbs's "Moneyline" program

ing corporate titans and government leaders who later would often agree to be guests on his TV show, helped found CNNfn, the financial-news cable network CNN launched in 1993.

Mr. Dobbs had been slated to play a key role in a new Internet strategy headed Time

emple.

Mr. Dobbs had threatened to resign in the past over issues of control and the direction of pro-

Please Turn to Page B4, Column 5



Lou Dobbs

CASE STUDY

When Business Plan and Real World Clash

Our Panel Tackles A Web Conundrum

By ELEENA DE LISSEK
Staff Reporter of THE WALL STREET JOURNAL

WHAT DO YOU DO when your business model doesn't quite match the real world? Russ Rosenzweig and Robert Hull envisioned a company offering one-stop shopping for intellectual expertise when they created Round Table Group Inc. five years ago. They wanted to help businesspeople, management consultants and litigation attorneys get answers to important questions from top-notch thinkers anywhere in the world through the Internet.

Mr. Rosenzweig, a former Price Waterhouse consultant, came up with the idea after realizing there might be a more efficient way to deliver information to the business community. In a large consulting firm, consultants are paid a salary whether they're working on a project or are between assignments. In addition, client fees have to go to help pay for on-the-job training for all those recent college graduates or M.B.A.s who work as analysts.

Round Table Group's business model was a kind of SWAT team of professors who would answer questions based on their expertise. A team might consist of one or two professors communicating with the client via e-mail, phone or videoconferencing on projects that might involve a few hours or a few weeks of input. In the traditional management consulting model, work on a project can last as long as a couple of years and the team consists of a group of junior analysts, managers and partners.

RTG assembled a database made up mainly of 3,000 university professors available to consult on an as-needed basis. The firm's fixed costs would be low because the professors would be paid only when they did billable work. Interestingly, among RTG's first batch of clients were a couple of management consulting firms that wanted to enhance the credibility of their reports by including some of the research of the RTG professors.

But an unexpected wrinkle soon emerged. RTG's customers wanted the small company to start acting like a more traditional consulting firm. Business executives wanted face-to-face contact with the professors giving the information. They also wanted number crunching and follow-up analysis. And they wanted current, customized research.

That has left RTG at a crossroads. Should it try to become a more traditional management consulting firm or continue to pursue its original mission of providing advice through Internet content and virtual links?

Taking the first path would mean providing support to clients, adding infrastructure and formalizing its operation by dividing it into distinct specialties. That would have the downside of making RTG's competitive point of differentiation murky. But the second path risks putting off clients who say they want more.

Where should RTG go from here?

Become a better middleman

Ivan I. Schwartz, author of two books about electronic commerce: "Digital Darwinism" and "Webonomics"

"The concept is a good idea but the original business model was fundamentally flawed, partly because of the way the Internet works and partly because of the way consulting works.

"Working by e-mail, it's difficult to have a good back and forth. With e-mail you talk at each other instead of to each other.

"And you know the way professors are. These guys are juggling so many things, they're doing research, they may have a consulting business on the side, all the political stuff that happens at a university—and they have students.

"To really put their creative energy into it is a really tough thing to do when they don't have their ego tied into it.

"If you're doing a face-to-face with the professor and he's enhancing his own consulting business, he is going to give it his all. If it's just e-mail, I can't see him giving it top priority.

"The Web has existed in this parallel universe for the past few years, and what companies really need to do is create a hybrid of what traditional business does best

and what the Web does best. I think this company at the crossroads should also develop a hybrid biz model. Do traditional consulting tied in with this 'just in time' advice through the Internet.

"RTG could have a staff of face-to-face [full-time] consultants and also have a Web site where you could ask a natural-language query and they send the questions out to the database of professors. Part of this service would be a follow-up service for 90 days.



Ivan I. Schwartz

"But if you want to be a middleman, you've got to add value to the customer experience and to the professor experience. Maybe you tell the professors that if you work on this client for a certain amount of time, afterward you can be free to pursue the client on your own. Maybe that could be part of their matchmaking. All the great middlemen on the Web are adding value to both the buyer and seller experience.

"The Web is not good for people who putter along. It's probably good [for RTG] to get on to whatever is next as quickly as possible."

Evolve from the original vision

Mike Santer of Platinum Venture Partners, a Redwood City, Calif., venture-capital firm that focuses on financing Internet and information technology companies

"I think there's very limited viability to RTG as it is currently built. It doesn't offer what people need, and before they can be credible to offer what people need, they're going to need to have some kind of aura around the company to make people believe this is a 'go to' source.



Wendy Handler

BEST AVAILABLE COPY

DISSENT

Disaffected Youth Dust Off a Combustible Philosophy

By PETER WALDMAN

Staff Reporter of THE WALL STREET JOURNAL
EUGENE, Ore.—This university

THE BICH LIE

Nestor Makhno, nom de guerre of the founder of the Mission District Yunque Erad-